

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.328 OF 2023
WITH
INTERIM APPLICATION NO.17066 OF 2023
IN
APPEAL FROM ORDER NO.328 OF 2023

Sudakshana Sahakari Griharachana
Sanstha Maryadit

....Applicant

IN THE MATTER BETWEEN

Sudakshana Sahakari Griharachana
Sanstha Maryadit

....Appellant

V/S

Digambar Bapuji Parulekar

....Respondents

...

Dr. Uday P. Warunjikar i/b Mr. Sumit S. Kate for the Appellant/Applicant.
Mr. Jaydeep Deo for Respondent.

...

CORAM: SANDEEP V. MARNE, J.

DATE : NOVEMBER 8, 2023.

P.C.:

INTERIM APPLICATION NO.17066 OF 2023:

1 Dr. Warunjikar, the learned Counsel appearing for the Applicant would submit that this Court had granted liberty in para 11 of the order dated 26 July 2023 to revive the Appeal in the event of rejection of application filed seeking setting aside the ex-parte order. He would submit that the application filed at Exhibit-14 to seek setting aside the ex-parte order has been rejected by the Trial Court on 11 September 2023. In that view of the matter, the Appeal stands restored.

2 The Interim Application is accordingly disposed of.

APPEAL FROM ORDER:

3 Dr. Warunjikar, the learned Counsel appearing for the Appellant would seek leave to amend the Memo of Appeal on account of occurrence of subsequent events. Leave is granted to add paragraph Nos. 8A, 8B and 8C to the Memo of Appeal.

4 List the Appeal on 12 December 2023.

(SANDEEP V. MARNE, J.)